

House Engrossed

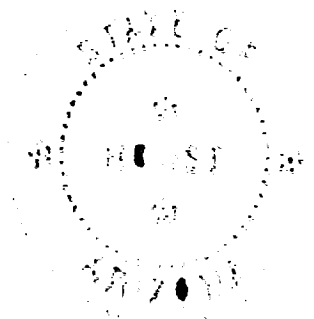
State of Arizona
House of Representatives
Forty-fifth Legislature
Second Regular Session
2002

CHAPTER 145
HOUSE BILL 2470

AN ACT

AMENDING SECTIONS 28-4546, 28-4549, 28-4553, 28-5006, 28-5007, 28-5008, 28-5009 AND 28-5101, ARIZONA REVISED STATUTES; RELATING TO TEMPORARY REGISTRATION PLATES.

(TEXT OF BILL BEGINS ON NEXT PAGE)



1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 28-4546, Arizona Revised Statutes, is amended to
3 read:

4 28-4546. Temporary license plates

5 A. The director may issue to new motor vehicle dealers and used motor
6 vehicle dealers temporary registration plates that dealers may issue subject
7 to the limitations and conditions prescribed in sections 28-4547 through
8 28-4554.

9 B. THE DIRECTOR SHALL ESTABLISH A SYSTEM TO REQUIRE THE RECORDING OF
10 TEMPORARY REGISTRATION PLATE INFORMATION THROUGH ELECTRONIC MEDIA ON THE
11 DEPARTMENT'S VEHICLE TITLE AND REGISTRATION DATABASE. THE TEMPORARY
12 REGISTRATION PLATE INFORMATION SHALL BE MADE AVAILABLE TO LAW ENFORCEMENT
13 OFFICERS. THE DIRECTOR SHALL IMPLEMENT THE RECORDING OF TEMPORARY
14 REGISTRATION PLATE INFORMATION THROUGH ELECTRONIC MEDIA WHEN THE DIRECTOR
15 DETERMINES THE SYSTEM IS OPERATIONAL, BUT NO LATER THAN JULY 1, 2003.

16 Sec. 2. Section 28-4549, Arizona Revised Statutes, is amended to read:

17 28-4549. Electronic record of temporary registration as notice
18 of transfer

19 A dealer who issues temporary registration plates shall send to the
20 department ~~on the day~~ THROUGH AN AUTHORIZED THIRD PARTY OR THE DEPARTMENT'S
21 AUTHORIZED THIRD PARTY ELECTRONIC SERVICE PROVIDER BEFORE the dealer issues
22 the plates ~~a copy~~ AN ELECTRONIC RECORD of the temporary registration plates.
23 This ~~copy~~ ELECTRONIC RECORD is written notice of the transfer. EACH DEALER
24 SENDING AN ELECTRONIC RECORD OF THE TEMPORARY REGISTRATION PERMIT THROUGH THE
25 DEPARTMENT'S AUTHORIZED THIRD PARTY ELECTRONIC SERVICE PROVIDER SHALL PAY A
26 FEE OF ONE DOLLAR TO THE DEPARTMENT'S AUTHORIZED THIRD PARTY ELECTRONIC
27 SERVICE PROVIDER.

28 Sec. 3. Section 28-4553, Arizona Revised Statutes, is amended to read:

29 28-4553. Temporary registration plates; violation;
30 classification

31 A. A dealer shall not lend to a person or use on a vehicle that the
32 dealer owns temporary registration plates.

33 B. A person shall not:

34 1. ISSUE A TEMPORARY REGISTRATION PLATE BEFORE SENDING AN ELECTRONIC
35 RECORD TO THE DEPARTMENT. A PERSON WHO VIOLATES THIS PARAGRAPH IS GUILTY OF
36 A CLASS 3 MISDEMEANOR.

37 ~~1.~~ 2. Issue a temporary registration plate containing a misstatement
38 of fact. A person who violates this paragraph is guilty of a class 3
39 misdemeanor.

40 ~~2.~~ 3. Knowingly insert false information on the face of the temporary
41 registration plate. A person who violates this paragraph is guilty of a
42 class 2 misdemeanor.

1 Sec. 4. Section 28-5006, Arizona Revised Statutes, is amended to read:

2 28-5006. Issuance of temporary registration

3 A. A title service company shall not issue, assign or deliver
4 temporary registration plates unless both ALL of the following apply:

5 1. ~~The temporary registration plates are issued, assigned or delivered~~
6 ~~before or at the same time the title service company~~ BEFORE THE TITLE SERVICE
7 COMPANY files an application for a certificate of title and an application
8 for annual registration of the vehicle, THE TITLE SERVICE COMPANY SHALL SEND
9 TO THE DEPARTMENT THROUGH AN AUTHORIZED THIRD PARTY OR THE DEPARTMENT'S
10 AUTHORIZED THIRD PARTY ELECTRONIC SERVICE PROVIDER, AN ELECTRONIC RECORD OF
11 THE TEMPORARY REGISTRATION PLATES.

12 2. EACH TITLE SERVICE COMPANY SENDING AN ELECTRONIC RECORD OF THE
13 TEMPORARY REGISTRATION PERMIT THROUGH THE DEPARTMENT'S AUTHORIZED THIRD PARTY
14 ELECTRONIC SERVICE PROVIDER SHALL PAY A FEE OF ONE DOLLAR TO THE DEPARTMENT'S
15 AUTHORIZED THIRD PARTY ELECTRONIC SERVICE PROVIDER.

16 ~~2.~~ 3. All other prerequisites to the registration of a vehicle
17 pursuant to law are satisfied.

18 B. The title service company shall promptly send the applications and
19 the fees prescribed in section 28-5005 to the registering officer.

20 C. A person may operate a vehicle for which application is made on a
21 highway in this state while the temporary registration is valid.

22 Sec. 5. Section 28-5007, Arizona Revised Statutes, is amended to read:

23 28-5007. Electronic record of temporary registration; notice of
24 transfer

25 ~~On the day~~ BEFORE a title service company issues temporary registration
26 plates, the company shall send to the ~~director a copy~~ DEPARTMENT THROUGH AN
27 AUTHORIZED THIRD PARTY OR THE DEPARTMENT'S AUTHORIZED THIRD PARTY ELECTRONIC
28 SERVICE PROVIDER AN ELECTRONIC RECORD of the temporary registration plates.
29 This ~~copy~~ ELECTRONIC RECORD is written notice of the transfer.

30 Sec. 6. Section 28-5008, Arizona Revised Statutes, is amended to read:

31 28-5008. Temporary registration plates; contents

32 A. A person who issues temporary registration plates shall affix or
33 insert clearly and indelibly on the face of each temporary plate both:

34 1. The date of issuance and expiration.

35 2. The make, motor number and serial number of the vehicle for which
36 the plate ~~or marker~~ is issued.

37 B. A temporary registration plate expires and is void on receipt of
38 a license plate provided pursuant to section 28-2351 or a year validating tab
39 or on the expiration of forty-five days from the date of issuance.

40 C. A person to whom a temporary registration plate has been issued
41 shall destroy the temporary plate immediately on receiving a license plate
42 provided pursuant to section 28-2351 or a year validating tab. If a license
43 plate or year validating tab is not received within forty-five days from
44 issuance of the temporary registration plate, the owner shall destroy the

1 temporary registration plate immediately on expiration of the forty-five day
2 period.

3 Sec. 7. Section 28-5009, Arizona Revised Statutes, is amended to read:
4 28-5009. Prohibitions; violation; classification

5 A. A title service company shall not lend temporary registration
6 plates to a person or use them on a vehicle owned by the company.

7 B. A person shall not:

8 1. ISSUE A TEMPORARY REGISTRATION PLATE BEFORE SENDING AN ELECTRONIC
9 RECORD OF THE TEMPORARY REGISTRATION PLATE TO THE DEPARTMENT. A PERSON WHO
10 VIOLATES THIS PARAGRAPH IS GUILTY OF A CLASS 3 MISDEMEANOR.

11 ~~1.~~ 2. Issue a temporary registration plate containing a misstatement
12 of fact. A person who violates this paragraph is guilty of a class 3
13 misdemeanor.

14 ~~2.~~ 3. Knowingly insert false information on the face of the temporary
15 registration plate. A person who violates this paragraph is guilty of a
16 class 2 misdemeanor.

17 C. A licensee who assigns a license issued pursuant to this chapter
18 to another person is guilty of a class 1 misdemeanor.

19 Sec. 8. Section 28-5101, Arizona Revised Statutes, is amended to read:
20 28-5101. Third party authorization

21 A. The director may authorize third parties to perform certain title
22 and registration, motor carrier licensing and tax reporting, dealer licensing
23 and driver license functions.

24 B. A person shall not engage in any business pursuant to this article
25 unless the director authorizes the person to engage in the business.

26 C. The director may furnish necessary documents, ~~OR~~ license plates
27 ~~or markers~~ subject to this article.

28 D. Except as provided in subsection E of this section, an authorized
29 third party shall submit to the department all statutorily prescribed fees
30 and taxes it collects. In addition to the statutorily prescribed fees and
31 taxes, an authorized third party may collect and retain a reasonable and
32 commensurate fee for its services.

33 E. In addition to payment pursuant to section 28-374, the department
34 shall reimburse the authorized third party as follows:

35 1. One dollar of each registration fee.

36 2. One dollar of each title fee.

37 3. An amount equal to two per cent of each vehicle license tax payment
38 the authorized third party collects and submits to the department or four
39 dollars for each registration year or part of a registration year, whichever
40 is more. THE REIMBURSEMENT AMOUNT SHALL NOT EXCEED THE AMOUNT OF VEHICLE
41 LICENSE TAX COLLECTED.

42 4. Four dollars for each application that the third party processes
43 and that relates to driver licenses, nonoperating identification licenses or
44 permits.

1 5. An amount equal to two per cent of each overweight or excess size
2 vehicle registration or permit fee the third party collects and submits to
3 the department or one dollar for each overweight or excess size vehicle
4 registration or permit processed, whichever is more.

5 6. One dollar for each motor vehicle record, excluding motor vehicle
6 records released to commercial recipients, including insurers and their
7 authorized agents as defined in section 28-450.

8 7. Five dollars for each tax report filing.

9 F. Each authorized third party that holds itself out as providing
10 services to the general public shall post a sign in a conspicuous location
11 in each facility of the authorized third party that contains the amount
12 charged for each transaction performed by the authorized third party and the
13 amount charged by the department for the same transaction.

14 Sec. 9. Department of transportation; reimbursement; electronic
15 notification of the issuance of temporary
16 registration plates

17 The department of transportation may require a third party electronic
18 service provider to reimburse the department of transportation up to sixty
19 thousand dollars for costs associated with the initial implementation of the
20 electronic notification of the issuance of temporary registration plates
21 pursuant to section 28-4549, Arizona Revised Statutes, as amended by this
22 act.

23 Sec. 10. Delayed repeal

24 Section 9 of this act, relating to reimbursement, is repealed from and
25 after June 30, 2003.

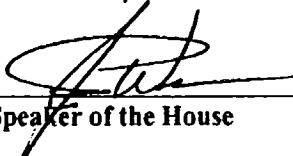
APPROVED BY THE GOVERNOR MAY 6, 2002.


FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 7, 2002.

Passed the House April 4, 2002,

by the following vote: 54 Ayes,

0 Nays, 6 Not Voting

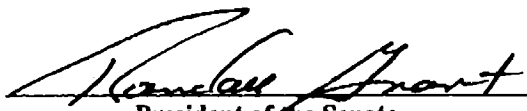

Speaker of the House

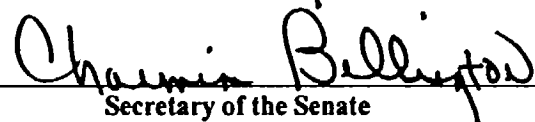

Chief Clerk of the House

Passed the Senate April 30, 2002,

by the following vote: 28 Ayes,

0 Nays, 2 Not Voting


President of the Senate

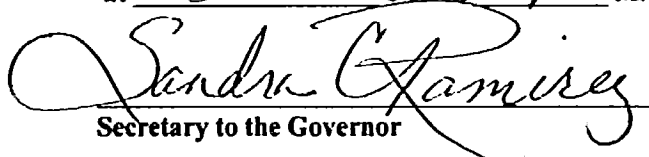

Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

30 day of April, 2002

at 2:56 o'clock P M.


Secretary to the Governor

Approved this 6th day of

May, 2002,

at 3:40 o'clock P M.

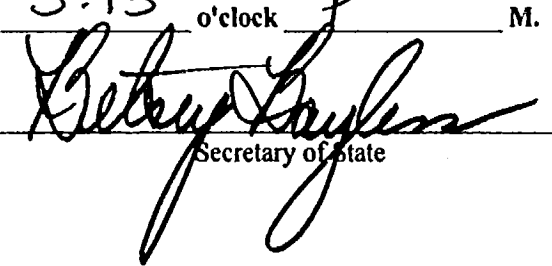

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 7 day of May, 2002,

at 3:13 o'clock P M.


Secretary of State

H.B. 2470